AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

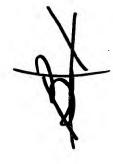
1. (Previously presented): A communication apparatus for communicating over a plurality of channels, the apparatus comprising:

notifying unit configured to notify a connected another communication apparatus of a number of usable channels based on a negotiation between the communication apparatus and a relay station being connected to the communication apparatus;

detecting unit configured to detect a number of usable channels based on a negotiation between the connected another communication apparatus and a relay station being connected to the connected another communication apparatus; and selecting unit configured to select a communication rate based on the notifying number of usable channels and the detected number of usable channels.

- 2. (Previously presented): The communication apparatus according to claim 1, wherein the selecting unit selects the communication rate based on the notifying number.
- 3. (Previously presented): The communication apparatus according to claim 1, wherein the selecting unit selects the communication rate based on the detected number.
- 4. (Previously presented): The communication apparatus according to claim 1, wherein the notifying unit sets the notifying number of usable channels in

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control information being transmitted to the connected another communication apparatus.

- 5. (Previously presented) The communication apparatus according to claim 1, wherein the detecting unit detects the number of the channels in control information being received from the connected another communication apparatus.
- 6. (Previously presented): A method in a communication apparatus for communicating over a plurality of channels, the method comprising:

notifying a connected another communication apparatus of a number of usable channels based on a negotiation between the communication apparatus and a relay station being connected to the communication apparatus;

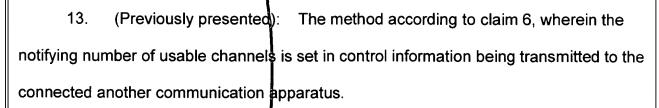
detecting a number of useable channels based on a negotiation between the connected another communication apparatus and a relay station being connected to the connected another communication apparatus; and

selecting a communication rate based on the notifying number of usable channels and the detected number of usable channels.

- 7. (Canceled):
- 8. (Canceled):
- 9. (Canceled):
- 10. (Canceled):
- 11. (Previously presented): The method according to claim 6, wherein the communication rate is selected based on the notifying number.
- 12. (Previously presented): The method according to claim 6, wherein the communication rate is selected based on the detected number.



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- 14. (Previously presented): The method according to claim 6, wherein the detecting number is set in control information being received from the connected another communication apparatus.
- 15. (Previously presented): The method according to claim 6, wherein a number of usable channels assigned by a relay station being connected to the communication apparatus is notified to the connected another communication apparatus.
- 16. (Previously presented): The method according to claim 6, wherein a number of usable channels set by the communication apparatus is notified to the connected another communication apparatus.
- 17. (Previously presented): The method according to claim 6, wherein a number of usable channels assigned by a relay station is detected, the relay station being connected to the connected another communication apparatus.
- 18. (Previously presented): The method according to claim 6, wherein a number of usable channels set by the connected another communication apparatus is detected.
- 19. (Previously presented): The communication apparatus according to claim 1, wherein the notifying unit notifies the connected another communication apparatus of a number of usable channels assigned by a relay station being connected to the communication apparatus.





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- 20. (Previously presented): The communication apparatus according to claim 1, wherein the notifying unit notifies the connected another communication apparatus of a number of usable channels set by the communication apparatus.
- 21. (Previously presented): The communication apparatus according to claim 1, wherein the detecting unit detects a number of usable channels assigned by a relay station being connected to the connected another communication apparatus.
- 22. (Previously presented): The communication apparatus according to claim 1, wherein the detecting unit detects a number of usable channels set by the connected another communication apparatus.
- 23. (Previously presented): A control unit in a communication apparatus for communicating over a plurality of channels, the apparatus comprising:

notifying unit configured to notify a connected another communication apparatus of a number of usable channels based on a negotiation between the communication apparatus and a relay station being connected to the communication apparatus:

detecting unit configured to detect a number of usable channels based on a negotiation between the connected another communication apparatus and a relay station being connected to the connected another communication apparatus; and

selecting unit configured to select a communication rate based on the notifying number of usable channels and the detected number of usable channels.

24. (Previously presented): The control unit according to claim 23, wherein the selecting unit selects the communication rate based on the notifying number.



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- 25. (Previously presented): The control unit according to claim 23, wherein the selecting unit selects the communication rate based on the detected number.
- 26. (Previously presented): The control unit according to claim 23, wherein the notifying unit set the notifying rumber of usable channels in control information being transmitted to the connected another communication apparatus.
- 27. (Previously presented): The control unit according to claim 23, wherein the detecting unit detects the number of the channels in control information being received from the connected another communication apparatus.
- 28. (New): A communication apparatus for communicating over a plurality of channels, the apparatus comprising:

notifying unit configured to notify a connected another communication apparatus of a first number of usable channels based on a first negotiation between the communication apparatus and a first relay station being connected to the communication apparatus:

detecting unit configured to detect a second number of usable channels based on a second negotiation between the connected another communication apparatus and a second relay station being connected to the connected another communication apparatus; and

selecting unit configured to select a communication rate based on the first number of usable channels and the second number of usable channels.

29. (New): The method of claim 28, wherein the first relay is the second relay.

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